

2/28/2023 #110

(R-2023-348)
COR. COPY

RESOLUTION NUMBER R- 314621

DATE OF FINAL PASSAGE MAR 1 0.2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE SETTLEMENT AGREEMENT
BETWEEN RAMONA MARIA JUAREZ RUIZ AND THE CITY
OF SAN DIEGO

WHEREAS, on October 21, 2019, RAMONA MARIA JUAREZ RUIZ filed suit against the City of San Diego (City) alleging personal injuries arising from an incident that occurred on February 28, 2019, at or near 2561 G Street in the City. Plaintiff brought suit in the Superior Court of California, County of San Diego. The suit is entitled *Ramona Maria Juarez Ruiz v. City of San Diego*, San Diego Superior Court Case No. 37-2019-00055852-CU-PO-CTL (Litigation); and

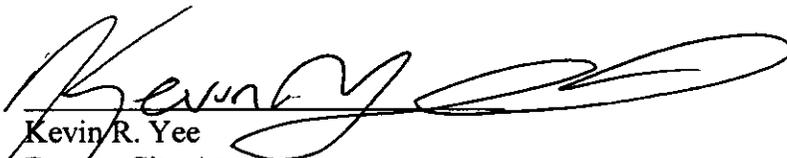
WHEREAS, in Closed Session on December 13, 2022, the City Council, by the following votes: Yeas, District(s) 1, 2, 3, 4, 5, 6, 7, 8, 9; Nays, None; and absent, None, approved the Settlement Agreement of the Litigation for an amount consistent with the amount set forth below; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego that the Council:

1. Authorizes the Mayor or his designee to pay the sum of \$150,000 to be paid from Water Fund No. 700011, Cost Center 2000211101, General Ledger Account #512006, in settlement of each and every claim for damages, interest, costs, and fees of any type, including attorney fees, against City of San Diego, its agents and employees, arising from the personal injury complaint filed by Plaintiff Ramona Maria Juarez Ruiz.

2. Authorizes the Chief Financial Officer to expend an amount not to exceed \$150,000 from Water Fund No. 700011, Cost Center 2000211101, General Ledger Account #512006, for the purpose of settling this claim.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Kevin R. Yee
Deputy City Attorney

KRY:asm:cm
12/28/2022
05/08/2023 COR. COPY
Or.Dept: City Attorney
CC No. 3000015461
Doc. No. 3220390_2

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of FEB 28 2023

DIANA J.S. FUENTES
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

TODD GLORIA, Mayor

~~Vetoed: _____
(date)~~

TODD GLORIA, Mayor

(NOTE: See memo and signature page.)

**Office of
The City Attorney
City of San Diego**

**MEMORANDUM
MS 59**

(619) 236-6220

DATE: May 8, 2023
TO: Matthew Hilario, Legislative Recorder I
FROM: Kevin R. Yee, Deputy City Attorney
SUBJECT: Corrections to San Diego Resolution R-314621 (Mar. 10, 2023)

This Memorandum is presented, pursuant to San Diego Charter section 275(a), to notify the City Clerk that this Office is requesting to correct two typographical or clerical errors referenced below to San Diego Resolution R-314621, which was adopted by the City Council on February 28, 2023, as Item 110.

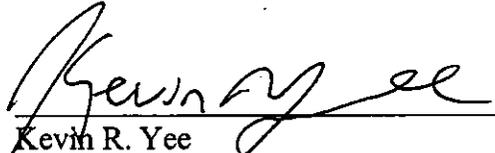
The phrase “the Public Liability Fund No. 720045” was deleted and replaced with “Water Fund No. 700011, Cost Center 2000211101, General Ledger Account #512006” in two paragraphs of this resolution. The staff report and Comptroller’s Certificate that the City Council considered at the hearing of this matter listed the correct funding source while the resolution was not accurate. No other changes were made to the resolution.

Please contact our Office if you have any questions concerning this request.

KRYE:cm
Doc. No. 3297135
Attachment: R-314621 COR. COPY

2. Authorizes the Chief Financial Officer to expend an amount not to exceed \$150,000 from the Public Liability Fund No. 720045, for the purpose of settling this claim.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Kevin R. Yee
Deputy City Attorney

KRY:asm
12/28/2022
Or.Dept: City Attorney
CC No. 3000015461
Doc. No.: 3176910

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of FEB 28 2023.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 3/9/23
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

**The City of San Diego
COMPTROLLER'S CERTIFICATE**

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

DEPT.
NO.:

3000015461

2000

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: _____ Fund: _____

Purpose: _____

Date: _____ By: _____
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
TOTAL AMOUNT									

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: _____ \$150,000.00

Vendor: Ramona Maria Juarez Ruiz

Purpose: Settlement of Ramona Maria Juarez Ruiz v. City of San Diego, San Diego Superior Court No. 37-2019-00055852-CU-PO-CTL, Claim No. 23027.

Date: January 19, 2023 By: Jessica Tran
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
1	700011			OTHR-00000000-WU	512006	2000	2000211101		\$150,000.00
TOTAL AMOUNT									\$150,000.00

CC-361 (REV 7-09)

FUND OVERRIDE

3000015461

Passed by the Council of The City of San Diego on FEB 28 2023, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

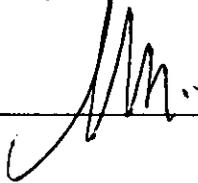
Date of final passage MAR 10 2023.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

DIANA J.S. FUENTES
Interim City Clerk of The City of San Diego, California.

By , Deputy



Office of the City Clerk, San Diego, California

Resolution Number R- 314621